



PREVENTION OF WORKPLACE SEXUAL HARASSMENT POLICY

LEAD at Krea University

(LEAD is a part of IFMR Society with strategic oversight from Krea University)

I. Preamble

I.1) The policy is intended to provide protection against sexual harassment to all LEAD staff at the workplace - prevention and redressal of complaints of sexual harassment and for matters connected or incidental to it. This policy is designed on three cardinal principles:

UNDERSTAND – Educating the employee and others about Sexual Harassment

PREVENT – Provide steps to ensure a gender-based harassment free workplace

REACT – In case of any complaints, respond to the same at the earliest.

II. Scope of the Policy

II.1) The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013, hereafter referred to as '**The Act**', lays down the mandatory formation of an Internal Committee (IC) by every employer. The IC is tasked with the responsibility of carrying out inquiries into any complaint that is brought to their attention by a formal complaint.

II.2) The Prevention of Workplace Sexual Harassment Policy of LEAD, henceforth referred to as '**Policy**', will come into force from 15th July, 2019.

II.3) LEAD has zero-tolerance for any act of sexual harassment and any such behaviour will result in serious disciplinary action and necessary further legal action. Although, under Indian law, as per the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013, only women are recognised as a complainant, LEAD follows a gender-neutral Sexual Harassment Policy and is applicable to all staff irrespective of their gender.

II.4) This policy is also meant to educate staff about what conduct constitutes sexual harassment, processes that the organization has adopted to prevent the occurrence of any such event.

II.5) This policy, in letter and spirit, shall at all given times, endeavour to comply with provisions of the Act and the rules framed thereunder.

III. Definitions

III.1) In the policy, unless the context otherwise requires, -

- a) '**Chairperson**' is a nominated senior women member of the IC who will lead the activities and the proceedings on behalf of the IC
- b) '**Complainant**' means in relation to a LEAD or IWWAGE workplace, a person, of any age, whether staff or not, who alleges to have been subjected to any act of sexual harassment at the workplace.

- c) **'Employee/Staff'** shall mean any person employed at LEAD, for any work on regular, temporary, ad-hoc or daily wage basis, either directly or through an agent/contractor/vendor, with or without the knowledge of LEAD, whether for remuneration or not, or working on a voluntary basis or otherwise, whether the terms of employment are express or implied and includes a co-worker, a contract worker, probationer, trainee, apprentice or a person by any other such name. This shall include all full-time staff (on payroll), short term staff, staff hired on a contract basis for any duration, staff hired through agencies (office support non- LEAD staff), volunteers, interns, consultants and staff from other LEAD offices.
- d) **'Employer'** means (i) the Executive Director of LEAD or, (ii) the Executive Director of LEAD and the Head of IWWAGE if one of the parties involved in the complaint is an IWWAGE employee.
- e) **'External Member'** means a member of the IC who is not a LEAD or IWWAGE or IFMR employee and is an expert in the domain of preventing workplace sexual harassment working for an NGO, a Civil Society Organization, or as a lawyer.
- f) **'Field Office'** means a temporary sub-office, set-up to serve as a base for a particular project/ program until its completion
- g) **'Formal Complaint'** means a written complaint submitted, by the complainant to the internal committee to poshlead@ifmr.ac.in or to any of the IC members
- h) **'Internal Committee'**, hereafter referred to as IC, means the Internal Committee constituted under Section 4 of 'the Act' at LEAD and IWWAGE
- i) **'Member'** means a member of the LEAD and IWWAGE IC
- j) **'Quorum'** means at least 3 members present when the IC congregates to discharge its duties
- k) **'Regional Point of Contact'** means a full-time employee of LEAD or IWWAGE serving as the coordinator or focal point of information concerning any PoSH activity in a given location
- l) **'Regular Working Hours'** includes 9 AM to 6 PM during the week excluding all public holidays.
- m) **'Respondent'** means the person against whom the complainant has made a formal complaint to the LEAD and IWWAGE IC
- n) **'Sexual Harassment'** includes one or more of the following unwelcome acts or behaviours, whether intentional or unintentional,
- a. physical contact or advances;
 - b. a demand or request for sexual favours;
 - c. making sexually coloured remarks;
 - d. showing pornography and/or
 - e. any other unwelcome physical, verbal or non-verbal conduct of sexual nature
 - f. In addition, the following circumstances, if any of them occurs in relation to or connected with any act/ behaviour of sexual harassment may amount to sexual harassment:
 - i. implied or explicit promise of preferential treatment in the complainant's employment
 - ii. implied or explicit threat of detrimental treatment in the complainant's employment
 - iii. implied or explicit threat about the complainant's present or future employment status
 - iv. interference with the complainant's work or creating an intimidating, offensive or hostile work environment for the complainant

- v. humiliating treatment likely to affect the complainant's health or safety which occurs with the purpose or amounts to violating the dignity of a person which unreasonably interferes with the complainant's work performance
- g. verbal or non-verbal insults of a sexual nature that communicate hostile, derogatory, or negative messages to or about historically stigmatized groups, which includes
 - i. comments of a sexual nature about one's gender identity or sexual orientation.
 - ii. unwelcome jokes of a sexual nature.
 - iii. unwelcome questions/ comments about one's sex life.
 - iv. unsolicited gender-based insults, use of homophobic language that have sexual undertones.

Note: An illustrative table is presented in Annexure B. The table is representative, but not exhaustive.

o) **'Workplace'** includes:

- a. all official LEAD gathering, physical or virtual, intimation for which comes from an official LEAD channels (admin/ HR email IDs), shall be treated to be a workplace - including but not restricted to office parties, dinner gatherings, RA training and sporting events. Other personal meetings and friendly gatherings undertaken wilfully shall not fall within the purview of this definition.
- b. all offices and co-working spaces at which LEAD personnel work regularly out of (including but not restricted to Chennai, Bangalore, Delhi, Kolkata, Hyderabad, Patna, Kochi, Ahmedabad)
- c. Work-related meetings, conferences, workshops, both in person and online
- d. Any office gathering, including but not restricted to LEAD summit
- e. Travel to field sites, partner meetings or other project related travel including places of lodging and transportation during such visits
- f. Furthermore, emails, WhatsApp groups and chats, SMS, calls etc. will come under the purview of this definition.

IV. Internal Committee (IC)

IV.1) According to the 'Act', the internal committee is entrusted with the duty of overseeing the sensitization, prevention and redressal of sexual harassment complaints, as defined above in section III.1(n). To prevent instances of sexual harassment and to receive and effectively deal with complaints pertaining to the same, an Internal Committee has been constituted. The Internal Committee must consist of a minimum of five members (including the external member) chosen in accordance with the provisions of the Act.

IV.2) Internal Committee comprises of:

- a) The **Chairperson**, who is a woman, employed at a senior level in the organization;
- b) At least two members from the organization preferably committed to the cause of women or having experience in social work or have legal knowledge;
- c) One **external member** who is committed to the cause of woman or is familiar with the issues related to sexual harassment;

- d) At least 50 percent of the total members are women.
- e) **The employer will not be a member or the Chairperson of any Internal Committee,** as they are required to implement the recommendations of the Internal Committee.

IV.3) All members including the Chairperson will hold the office for a period not exceeding three years from the date of their nomination to the IC.

IV.4) Any member shall cease to be a member of the Committee upon ceasing to be a member of the organization for any reason whatsoever. Any member and/or the Chairperson will be removed from the Committee if s/he:

- f) Breaches any provisions of the policy; or
- g) Has been convicted for an offense or an inquiry into an offense under any law is pending against him/her; or
- h) Has been found guilty in any disciplinary proceedings or a disciplinary proceeding is pending against him/her.

IV.5) Any vacancy so created shall be filled by fresh nominations in accordance with the appropriate guidelines. In case of a vacancy in the IC, it has to be filled within a maximum period of 45 days.

IV.6) The names and contact details of all Internal Committee members will be displayed at prominent places in each office. These details will also be shared via email with all employees. Details of Internal Committee are provided in Annexure A.

IV.7) In case the complainant or the respondent is a member or Chairperson of an Internal Committee, that member will be removed from the Internal Committee and a new member will be inducted into the IC that will look into the case. In case the complainant or the respondent is the Employer, the complaint will be forwarded to the Local Committee.

IV.8) The external member appointed shall be paid by the employer such fees and/or allowances for holding the proceedings of the IC, as may be prescribed

IV.9) All IC meetings, to investigate submitted complaints or otherwise, must have a quorum of minimum 3 members attending, which includes the Presiding Member.

IV.10) The IC must also conduct sensitisation workshops for all employees at LEAD at least once a year, to reiterate and provide updates on the existing policy and to provide general awareness about what constitutes sexual harassment, ways to deal with it, and other topics

IV.11) The IC will convene at least once every quarter (in-person or through any other medium) and once every year in-person. All IC meetings shall have the required quorum.

V. Role and responsibilities of Internal Committee

V.1) The committee is responsible for:

- a) Conducting activities including but not limited to trainings and workshops to sensitize the employees to understand and prevent sexual harassment at the workplace.
- b) Receiving complaints of sexual harassment at workplace. Based on the merits of the complaint, the IC will determine whether the incident amounts to sexual harassment or whether it falls under the purview of discrimination, bullying and/or any other form of harassment before proceeding with the case.
- c) At the request of the complainant initiate and conduct conciliation procedures as per section 10 of the Act.
- d) Initiating and conducting inquiry as per the procedure.
- e) Providing timely information about the next steps and the recourse available to the complainant, witness and/ or respondent, in case they decide to file a complaint with the Internal Committee and or take legal recourse.
- f) Being empathetic and impartial towards the complainant, witness and / or respondent.
- g) Summoning witnesses and testing the veracity of the evidence.
- h) Submitting findings and recommendations to the employer.
- i) Ensuring that the personal information, conversations with witnesses, details of the alleged incident remain confidential and take all possible measures to ensure that there is no backlash and retaliation against the aggrieved person, witness and / or respondent person due to the complaint.
- j) Coordinating with the employer in implementing appropriate action.
- k) Maintaining strict confidentiality throughout the process as per established guidelines.
- l) Providing assistance to the complainant if they want to file the complaint in relation to the offence under IPC.
- m) Submitting Annual Reports in the prescribed format to the employer, which needs to be submitted to the respective District Officer.
- n) In case the respondent is not a staff of LEAD, the IC will provide all necessary support to file the complaints with the respondent's organisation or with the LC
- o) All IC members will meet at least twice a year to discuss the following:
 - a. Any changes in the Act.
 - b. Discuss cases (without revealing the identities) to understand the nature of the complaint and create sensitization plans in order to reduce recurrence of such events.
 - c. Discuss next round of training/sensitization sessions and materials for the same.
- p) The committee can also recommend to the employer the following:
 - a. Provide any medical intervention required to support the complainant;
 - b. Provide any psychological or emotional help to the complainant, if s/he so desires.
 - c. For carrying out its duties under this policy, the Internal Committee shall have the same powers as are vested in a civil court under the Code of Civil Procedure, 1908 in respect of the following matters, namely:
 - d. Summoning and enforcing the attendance of any person and examining them under oath;
 - e. Requiring the discovery and production of documents; and
 - f. Any other matter, which may be prescribed under the Act.

VI. Regional Points of Contacts (RPoC)

VI.1) Regional Field Managers (RFMs) will serve as regional points of contact (RPoCs). The role of the RPoCs will be to:

- a) Coordinate with the IC on ensuring policy dissemination among all employees in that location, in respective vernacular
- b) Ensure posters are well displayed in the field office
- c) Conducting training sessions for the Field Staff using the PoSH deck
- d) Encourage any complainants to reach out to the IC in case they want to raise a formal complaint.
- e) Although the RPoC shall bring any incident to the notice of the IC, the IC shall only pursue the matter after a formal complaint is filed by the complainant.

VI.2) ***What the Regional points of contact cannot do?***

- a) Decide and speculate on the outcome of the investigation. Only the Internal Committee has the mandate to do so.
- b) They cannot be a part of the investigation, except unless they are called as witness to the case.
- c) They cannot discuss with members of IC on how the investigation should proceed.
- d) They cannot force the complainant to file a complaint with the IC in case the complainant does not wish to.
- e) They shall not dissuade any person who wishes to make a complaint to IC.

VI.3) Please note that the complainant, persons, witness and / or respondent can directly approach the Internal Committee and lodge the complaint. It is not mandatory to speak to the Regional point of contact regarding sexual harassment complaints. In case, the complainant, person, witness and / or respondent does not feel comfortable in talking to the Counsellors, they should talk to a co-worker, friend or a senior who they trust.

VI. 4) Details of RPOCs are provided in Annexure C.

VII. Filing a formal complaint

VII.1) A complainant will have to submit a formal complaint to the IC. In case a written complaint cannot be submitted, member(s) of the IC shall extend all reasonably required assistance to draft the formal complaint. If the complainant is unable to make a complaint due to medically established physical or mental incapacity or death or otherwise, legal heir, friends, relatives, co-workers, psychologists, psychiatrists etc. may make a complaint on behalf of the complainant.

VII.2) In drafting the complaint, the following points shall be adhered to:

- a) The complaint should be addressed to the Internal Committee and not the employer/HR representative.
- b) The complaint should be concise, i.e. it should be written in simple language which can be comprehended easily.
- c) The complaint must have the details of the exact incident, date and time, witness etc.

- d) Circumstances preceding and following the incident are to be recorded.
- e) There must be an averment whether the complainant asked the respondent to desist from the unwelcome act(s).
- f) All the available evidence must be appended with the complaint and submitted at once.
- g) Details of the respondent including name, designation, reporting structure between complainant and respondent if any (whether subordinate, colleague or superior).
- h) Refrain from making false and exaggerated versions of the complaint.

VII.3) The formal complaint will have to be made within 3 (three) months from the date of the incident. In case of a series of incidents, the formal complaint needs to be submitted within 3 months of the most recent incident. In case there are circumstances that prevented the complainant from filing a complaint within the said period, they must provide a reasonable justification with relevant documentation to the IC. If found satisfactory, the IC may extend the time limit to a maximum of 6 months to file a formal complaint.

VII.4) At the time of lodging the complaint, the complainant or any other person(s) filing on behalf of the complainant have to submit six signed copies of the complaint with supporting documents/evidence (including but not limited to emails, voicemails, texts, messages, pictures etc.), along with the names and addresses of the witnesses, if any. The complaint can be also submitted electronically with the Internal Committee members. Each and every page of the complaint and the evidence must be signed. A list of the evidence submitted should also be provided in the complaint and should be properly marked and referred to as Annexures in the complaint.

VII.5) The Chairperson or any member of the Internal Committee must acknowledge the receipt of the complaint in writing immediately after receiving the complaint. The Internal Committee should forward the complaint, along with the supporting documents and details of witnesses, if any, within seven working days to the Respondent.

VII.6) The Respondent has to submit a response to the complaint in writing, along with any supporting documents and names and addresses of the witness/es, if any, with the Internal Committee within a period of ten working days from the date of receipt of the said complaint.

VII.7) At the behest of the complainant, the IC can take steps to settle the matter through conciliation, provided no monetary settlement is arrived at through the settlement process. In case of a settlement, copies of the settlement shall be provided to the complainant and the respondent. No further inquiry shall take place if a settlement has been agreed upon.

VII.8) Both the parties, the complainant and respondent, have up to a maximum of two weeks to finalize the settlement agreement after a settlement has been reached at the behest of the IC.

VII.9) Rights of the complainant

- i) An empathetic attitude from the Committee so that he/she can state his/her grievance in a fearless environment.
- j) A copy of the statement along with all the evidence submitted by the respondent. Please note that the witness list is not to be shared with either parties to avoid the witnesses being subjected to any form of duress.
- k) Keeping his/her identity confidential throughout the process.
- l) Support, in lodging FIR in case the complainant chooses to file criminal proceedings.

- m) A copy of the final Committee report to be provided to the complainant in accordance with section 13 (1) of The Act.
- n) Right to appeal, in case, not satisfied with the recommendations/findings of the Internal Committee.

VII.10) Rights of the respondent

- o) A patient hearing to present his/her case in a non-biased manner
- p) A copy of the statement along with all the evidence submitted by the complainant. Please note that the witness list is not to be shared with either parties to avoid the witnesses being subjected to any form of duress.
- q) Keeping his/her identity confidential throughout the process
- r) Right to appeal in case not satisfied with the recommendations/findings of the Internal Committee
- s) A copy of the final Committee report to be provided to the respondent in accordance with section 13 (1) of The Act.

VIII. Inquiry procedure

VIII.1) Formal complaints received by the IC needs to be resolved within a period of no more than 90 days, from the date of receipt of the formal complaint - from the investigation into the complaint to the recommendations to the concerned body.

VIII.2) The Internal Committee will record all proceedings of the inquiry, and minutes of the meeting will be shared on a timely basis with the complainant and the respondent respectively.

VIII.3) The Internal Committee will conduct the inquiry in accordance with the principles of natural justice. During the inquiry process, the complainant and the respondent will present their case separately. A legal practitioner cannot represent them at any stage of the proceedings.

VIII.4) Both, the complainant and the respondent can submit supporting documents, which will be shared with other parties respectively at least a day in advance. Sufficient opportunities will be given to examine all witnesses notified by both parties subject to the time schedule provided by the Act.

VIII.5) During the inquiry process, the IC may recommend the employer to take the following interim measures -

- a) Transfer the complainant or the respondent to any other workplace after they have consented to the same as feasible; and/or
- b) Grant leave to the complainant/respondent up to a period of three months; and/or
- c) Prevent the respondent from reporting on the work performance of the complainant or writing the appraisal report and assign such tasks to another staff; or
- d) Prevent the Respondent from supervising the academic activity of the complainant.
- e) Grant such other relief to the complainant as may be prescribed under applicable law.

VIII.6) The leave granted to the complainant under section VIII (b) of the 'policy' shall be in addition to their regular entitled leaves. The IC shall take all possible measures to ensure that complainants are not discriminated or victimized against while dealing with complaints of sexual harassment.

VIII.7) If the IC finds the allegations against the respondent to be proved, it can recommend the employer to take action against the employee as per the service rules. The respondent must compulsorily extend an unconditional written apology. If deemed necessary, the IC can recommend LEAD to deduct from the respondent's salary to be paid to the complainant.

VIII.8) If the Internal Committee arrives at the conclusion that the allegation against the respondent is malicious or the complainant has made the complaint knowing it to be false or has produced any forged or misleading document, it may recommend to the employer to act (take action) against the complainant. While deciding malicious intent, the committee will consider that mere inability to substantiate a complaint need not mean malicious intent. Malicious intent must be clearly established through a separate inquiry by the IC.

VIII.9) The action recommended should be similar to the ones proposed for the respondent in case the allegations were proved.

VIII.10) The IC at all times will ensure the privacy and confidentiality of the complainant(s) and the respondent(s) during the inquiry process. Some of the specific steps (is not exhaustive) to be taken to ensure privacy and confidentiality is as below:

- f) The IC members shall never discuss the case in office premises during regular working hours
- g) The IC members shall not discuss or make any reference to the case to any person, whether an LEAD employee or not
- h) All the meetings/proceedings, during the inquiry process will be conducted outside office premises and/or during the weekend or virtually.
- i) Any print outs/photocopies of the formal complaint received, will not be done within the office premises
- j) The HR and/or senior management of the organization will be involved only at the stage when the case is resolved and/or a specific action is required on the part of the employer
- k) Any person (LEAD employee or other) who needs to be questioned with regard to the case, will be made to sign a non-disclosure agreement

VIII.11) Only the complainant/respondent can make an appeal against the recommendation of the IC with the appropriate Court or Tribunal according to the service rules within 90 days of the date of order. The decision of the employer is final as per section 13 (4) of the Act.

IX. Termination of inquiry

IX.1) The Internal Committee will have the right to terminate the inquiry proceedings or to give an ex-parte order on the respondent, if the complainant or the respondent fails, without sufficient cause, to present themselves for three consecutive meetings. However, such termination or ex-parte order will not be passed without giving a fifteen days' prior notice in writing to the complainant or the respondent, as the case may be.

X. Action following the investigation

X.1) The IC must notify LEAD management and LEAD Human Resources as soon as a formal complaint is filed with the IC.

X.2) Counselling and Mediation: efforts may be made to resolve the dispute through counselling and mediation if the IC perceives that to be appropriate.

X.3) The following punitive action may be taken, in coordination with LEAD HR and LEAD management:

- a) Depending on the nature of the case and if there is a legitimate case against the respondent, the IC may recommend immediate suspension till the person is proven innocent or the issue is settled.
- b) If required, the IC may refer the complainant to a lawyer to lodge a complaint with the concerned police station.

X.4) The employer is required to act on the recommendations of the IC within 60 days of receipt of the inquiry report.

X.5) **If the allegation is not proved:** If the Internal Committee arrives at the conclusion that the allegation against the Respondent has not been proved, it may recommend that no action shall be taken in the matter.

X.6) **If the allegation is proved:** If the Internal Committee arrives at the conclusion that the allegation against the respondent has been proved, it may recommend to the employer to take necessary action, in accordance with the applicable service rules and policies, and this may include one or more of the following, in addition to systematic sensitisation training,:

- c) Counselling
- d) Censure or reprimand
- e) Written apology to be tendered by respondent to the Employer and the Aggrieved, with an undertaking not to repeat the offence.
- f) Written warning
- g) Withholding promotion and/or increments
- h) Suspension
- i) Termination
- j) Carrying out community service

X.7) Along with the above actions, the Internal Committee may also suggest to deduct from the salary/fee of the respondent, which will be paid as compensation to the complainant. The compensation payable will be determined based on:

- k) Mental trauma, pain, suffering and emotional distress caused to the complainant;
- l) Loss in the career opportunity due to the incident of sexual harassment;
- m) Medical expenses incurred by the aggrieved for physical or psychiatric treatment;
- n) Income and financial status of the respondent; and
- o) Feasibility of such payment in lump sum or instalments.

X.8) In the event that the respondent fails to pay the compensation amount, the Internal Committee may forward the order for recovery of the sum as an arrear of land revenue to the concerned District Officer. In addition to this, Indian Penal Code also prescribes action in cases of sexual harassment of women. This has been detailed in Annexure D.

XI. Appeals

XI.1) If the complainant or respondent wishes to appeal the decision of the IC, they may do so within 90 days of the final decisions by the Committee.

XI.2) In case the complainant is not satisfied with the final decisions or recommendations of the committee may appeal in an appropriate court or tribunal.

XI.3) LEAD management and LEAD HR must be informed immediately of an appeal to the IC.

XII. Duties of LEAD as the Employer

XII.1) Share the policy with all existing and new LEAD personnel. The policy will be uploaded on Salesforce or any other common platform that LEAD may migrate to at a later point of time.

XII.2) All personnel will be expected to share signed copies of the policy with the IC or email the IC, indicating that they have read and acknowledged it. Employees who have newly joined the organisation are also expected to follow the same procedure at the time of signing the contract.

XII.3) Every LEAD office should display posters about Sexual Harassment at the Workplace along with the 'policy'.

XII.4) Along with the posters, the names of the IC Members should be displayed too. For field offices, the names of all the Regional POCs should additionally be listed as well. The posters and the 'policy' should be displayed conspicuously in two languages- English and the local language.

XII.5) Outsiders expected to work out of the LEAD office space for more than a week shall be made aware about the existence of the 'policy'.

XII.6) Host periodical gender sensitization workshops at all locations. Apart from this, LEAD is expected to instruct its employees to undergo an annual sensitization certification.

XII.7) Design a module to train field staff and ensure that the training module is administered to all field staff at the beginning of the project.

XII.8) Provide counselling services to the complainant and/or the respondent during an enquiry process.

XIII. Confidentiality

XIII.1) The contents of the complaint, the identity and address of the complainant, respondent and witnesses, any information relating to conciliation and inquiry proceedings, recommendations of the Internal Committee and the action taken by the employer under this Policy, will not be published, communicated or made known to the public, press or media in any manner and shall remain strictly confidential.

XIII.2) If any person entrusted with the duty to handle the complaint, inquiry or any recommendation or action to be taken under the Act, disregards the foregoing provision, the employer shall be entitled to recover up to a sum of INR five thousand only as penalty from

such person. Any amount so obtained, will be used by the IC for staff training and PoSH sensitisation workshops.

XIV. Measures against retaliation

XIV.1) LEAD will not accept any form of threat, intimidation and retaliation against the complainant, respondent and witnesses at any time i.e. before, during and after the course of inquiry. Retaliation will be treated as misconduct and any staff who engage in retaliation, directly or indirectly, will be subject to appropriate disciplinary action.

XV. Annual Report

XV.1) The Internal Committee will prepare an Annual Report and submit it to the employer who will submit a copy with the District Officer of the respective State. The Annual Report will include the following information:

- a) Number of sexual harassment complaints received in a year;
- b) Number of complaints disposed of during the year;
- c) Number of cases pending for more than 90 days;
- d) Number of training conducted in a year;
- e) Nature of action taken by the organisation.

XVI. When respondent is an external party

XVI.1) The staff can report any case(s) of sexual harassment to any one or more members of the Internal Committee or to discuss the same with any Counsellors (details given below) and seek counsel on reporting the matter.

XVI.2) In case the respondent is an external party, the aggrieved can choose to file the formal complaint with either the respondent's IC or LEAD IC. In case of the former, LEAD IC will extend all possible support to the aggrieved in filing a complaint with the respondent's IC

XVI.3) In case the respondent is not a staff of the or any organization, LEAD will support the complainant in filing the complaint with the Internal Committee of the respondent's organization or with the Local Committee constituted at the place of the incident and/or forward the complaint to the police if the complainant so requests.

XVI.4) If incidents of sexual harassment are being faced by more than one staff in the field (e.g. teasing in rural areas etc.) or there are persistent and recurring incidents, it will be brought under the notice of the employer so that the organization can take appropriate actions to safeguard the well-being of the staff. Appropriate actions may include helping the complainant/s to file a complaint with the local police.

XVII. Annexures

Annexure A: Internal Committee details		
Name	Email ID	Phone number
Anweshaa Ghosh (External Member)	anweshaa@isstindia.org	-
Sona Mitra (Chairperson)	sona.mitra@iwwage.org	98180 11934
Sitaram Mukherjee (Kolkata)	sitaram.mukherjee@ifmr.ac.in	9433328164
Mridulya Narasimhan (Delhi)	mridulya.narasimhan@ifmr.ac.in	9971434709
Gayathri Balan (Chennai)	gayathri.balan@ifmr.ac.in	92051 55022
Mahantesh BS (Bangalore)	mahantesh.bs@ifmr.ac.in	9916526553
Kaliat Ammu Sanyal (Delhi)	ammu.sanyal@iwwage.org	9910775965

Annexure B:

Some Examples of Unwelcome Behaviors Which Can Constitute Sexual Harassment
(The said list is non-exhaustive and only illustrative for understanding purposes.)

Verbal	Non-verbal	Visual	Physical Contact
Derogatory comments of a sexual nature or based on gender	Staring inappropriately (of or relating to sexual nature)	Presence of sexual visual material, such as posters, cartoons, drawings, calendars, pinups, pictures, computer programs of a sexual nature	Unwelcome hugging, sexual touching or kissing
Sexual or gender based jokes or teasing	Sizing up a person's body (looking up and down)	Written material that is sexual in nature, such as notes or e-mail containing sexual comments	Actual or attempted sexual assault, or forced fondling
Comments about clothing, personal behavior, or a person's body	Derogatory gestures of a sexual nature	Displaying objects of a sexual nature	Standing too close to or brushing up against another person, leaning over, invading a person's space
Requesting sexual favors	Sexually suggestive looks		Patting, stroking, grabbing or pinching
Pressure for dates	Facial expressions of a sexual nature; winking, licking lips		Blocking someone's path with the purpose of making a sexual advance
Graphic descriptions of pornography			Stalking
Obscene phone calls			Rape or attempted rape
Telling lies or spreading rumours about a person's personal or sex life			

Annexure C:**Regional Points of Contacts (RPOC)**

Name	Email ID	Phone number	Regional Contact
Mahantesh B S	mahantesh.bs@ifmr.ac.in	9916526553	South
Pramod Tiwari	pramod.tiwari@ifmr.ac.in	7014004622	North

Annexure D:**Punitive action for sexual harassment offences as per the IPC**

Section	Offence	Punishment	Cognizable/ Non cognizable
354	Outraging the modesty of a woman. Assault or use of criminal force to any woman, intending to outrage or knowing it to be likely that modesty would be outraged.	Simple or Rigorous imprisonment for 1 to 5 years and Fine.	Cognizable
354- A	Sexual harassment by a man a) Physical contact and advances involving unwelcome and explicit sexual overtures; b) Demand or request for sexual favours; c) Showing pornography against the will of a woman; or d) Making sexually coloured remarks.	Offences (i), (ii) and (iii) are punishable with rigorous imprisonment for a term which may extend to three years, or with fine, or with both. Offence (iv) is punishable with simple/rigorous imprisonment for a term which may extend to one year, or with fine, or with both.	Cognizable
354- B	Assault or use of criminal force to woman with intent to disrobe Assault or use of criminal force to any woman or abetment of such act with the intention of disrobing or compelling her to be naked.	Simple/Rigorous imprisonment for a term which shall not be less than three years but which may extend to seven years and fine.	Cognizable
354-C	Voyeurism Watching, or capturing the image of a woman engaging in a private act in circumstances where she would usually have the expectation of not being observed either by the perpetrator or by any other	First conviction: Simple/ Rigorous imprisonment for a term which shall not be less than one year, but which may extend to three years, and fine. Second or subsequent conviction: Simple/ Rigorous	Cognizable

Annexure D:**Punitive action for sexual harassment offences as per the IPC**

	person at the behest of the perpetrator or disseminates such image.	imprisonment for a term which shall not be less than three years, but which may extend to seven years, and fine.	
354-D	Stalking Following a woman and contacting or attempting to contact such woman to foster personal interaction repeatedly despite a clear indication of disinterest by such woman; or monitoring the use by a woman of the internet, email or any other form of electronic communication.	First conviction: Simple/ Rigorous imprisonment for a term which may extend to three years, and fine; Second or subsequent conviction: Simple/ Rigorous imprisonment for a term which may extend to five years and fine.	Cognizable
509	Insulting the modesty of a woman Uttering any word, making any sound or gesture, or exhibiting any object, intending that such word or sound shall be heard, or that such gesture or object shall be seen, by a woman, with an intention to insult her modesty, or intruding upon the privacy of such woman.	Simple imprisonment for a term which may extend to three years, and fine.	Cognizable



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Get in Touch: communications-lead@ifmr.ac.in

Head Office

2nd Floor, Buhari Towers, No.4, Moores Road,
Chennai – 600 006, Tamil Nadu, India
Phone: +91 (44) 40101308



www.ifmrlead.org



@LEADatKrea



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